

FINANCE

(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, District No. 6

Members: Mr. Robert O. Call, Jr., District No. 3
Mrs. Cathy S. Davis, District No. 4
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Steve C. Davis, District No. 8

Mr. Phillip Farley, District No. 1, ex officio
Mr. Timothy Callanan, District No. 2, ex officio
Mr. Dennis Fish, District No. 5, ex officio
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council will be held on **Monday, January 23, 2012**, at **6:00 p.m.**, in the Assembly Room, following other scheduled meetings, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

AGENDA

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

December 12, 2011

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

- A. Kace Smith, Deputy Supervisor, Re:** General Obligation Bonds, Series 2009A for the St. Stephens Library and Magistrate Office.
- B. Consideration** prior to **First Reading** of an **ordinance** (1) authorizing the execution and delivery of fee in lieu of tax and incentive agreement (the "Incentive Agreement") by and between Berkeley County, South Carolina ("The County") and **MWV-Omni, LLC**, acting for itself, or one or more affiliates or other project sponsors, (The "Company"), in connection with the establishment of certain facilities and/or the making of certain investments in the County (The "Project"); (2) authorizing the benefits of a multi-county

industrial or business park to be made available to the Company and the Project; (3) approving and ratifying the assignment and transfer to the Company of the rights, interests, and obligations of Eastway Properties, LLC ("Eastway") and TC-MET OMNI PHASE I, LLC ("TC-MET") under (i) the fee in lieu of tax agreement by and between the County and Eastway dated as of June 9, 2008 and (ii) the partial assignment and assumption of fee in lieu of tax agreement by and between Eastway and TC-MET (Collectively, the existing FILOT Agreement); (3) authorizing termination of the existing FILOT Agreement upon execution and delivery of the incentive agreement; and (4) authorizing other matters relating thereto.

C. Consideration prior to Third Reading:

- 1. Bill No. 11-19, an ordinance** authorizing (1) the execution and delivery of (a) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between Berkeley County, South Carolina (the "county") and **HLIT IV SC-1, L.P. and HLIT IV SC-2, L.P.** and (b) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between the county and **HW BERKELEY PHASE II-A, LLC, HW BERKELEY PHASE II-B, LLC and HW BERKELEY PHASE II-C, LLC**, in connection with investment in the county; and (2) other matters relating to the foregoing.

January 18, 2012
S/Catherine R. Windham
Interim Clerk to County Council